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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,556	03/28/2001	Yasuyuki Fujikawa	1614.1158	9443

21171 7590 08/10/2004

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EXAMINER

HUYNH, THU V

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/818,556	Applicant(s) FUJIKAWA, YASUYUKI	
	Examiner Thu V Huynh	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: application filed on 03/28/2001 which has foreign priority filed on 10/31/2000.
2. Claims 1-13 are pending in the case. Claims 1, 6 and 9 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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5. **Claims 1-3, 6 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Chadha, US 6,061,698, patented 05/2000.**

Regarding independent claim 1, teaches a recording medium readable by a computer, tangibly embodying a program of instruction executable by the computer to modify a document including a plurality of areas, a part or all of said plurality of areas including identification (Chadha, abstract, col.4; lines 16-37; and col.7, lines 24-28), program including the steps of:

- inputting said document (Chadha, col.1, line 47 – col.2, lines 6; and col.4, lines 28-31 ; inputting a markup language document for searching comment statements and special tags or modified the document);
- inputting an instruction to said plurality of areas specified by the identification (Chadha, col. 1, line 47 – col.2, lines 6; and col.5, line 29 – col.6, line 20; inputting an instruction, such as font size for title and paragraph areas specified by identification “title” and “p” respectively; or inputting “%exec_sql(sql1)” command to said plurality of areas specified by special tag identification);
- modifying the document according to said instruction inputted to said plurality of areas specified by the identification (Chadha, 1, line 47 – col.2, lines 6; and col.6, line 7 – col.7, line 9; modifying font size of plurality of area when the instruction embedded; or modifying the document by embedded the executing command so that the dynamic data will be substituted when the command executed)
- outputting said document (Chadha, col.7, lines 9-10; outputting the web page with the modified font size; or outputting the web page with dynamic data).

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Regarding claim 2, which is dependent on claim 1, teach the limitations of claim 1 as explained above. Chadha teaches wherein said document is in a fixed format including a comment, and said identification is included in the part or all of said plurality of areas as the comment (Chadha, col.4, line 39 – col.5, line 39).

Regarding claim 3, which is dependent on claim 1, teach the limitations of claim 1 as explained above. Chadha teaches wherein said fixed format is an HTML (Hypertext Markup Language) (Chadha, col.1, line 65 – col.2, line 6 and col.4, line 54-64).

Regarding independent claim 6, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale. The limitation of “means for storing said plurality of areas to a memory” must be included, since the markup language is searched and displayed to the user, areas in the markup language must be store in a memory for searching and displaying.

Regarding dependent claim 7, the claim incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 4 is rejected under 35 U.S. C. 103(a) as being unpatentable over Chadha as applied to claim 1 above and further in view of Hobbs, US 6,523,022, filed 07/1999.

Regarding claim 4, which is dependent on claim 1, Chadha teaches the limitations of claim 1 as explained above. Chadha does not explicitly disclose wherein an area of the document includes another area by taking a nesting structure.

Hobbs teaches web page document includes nesting tag so that an area includes another area (Burch, col.20, line 17 – col.21, line 35).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined to Hobb's nested HTML tag and Chadha's web page to provide a nested structure for the web page in markup language document (HTML), since such nested HTML tag would have facilitated the layout information for the web page. It is also noted that nesting structure in HTML for formatting information was well known in the art at the time the invention was made.

7. Claim 5 and 8 are rejected under 35 U.S. C. 103(a) as being unpatentable over Chadha as applied to claims 1 and 6 above and further in view of Homer et al., "Instant HTML", copyright 1997, pages 76-107.

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Regarding claim 5, which is dependent on claim 1, Chadha teaches the limitations of claim 1 as explained above. Chadha does not explicitly disclose wherein said program including the step of inputting a name of an area, a start line of the area and the number of lines included in the area as the identification.

Homer teaches "src" to identify an image name; "hspace" to identify a start line of the image image; "width" and "height" to identify the number of lines include in the image area (Homer, pages 76 and 78). Homer also teaches "coords" to identify a start position of the image (Homer, page 101).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Homer's image area identification into Chadha to inputting such identification into the web document, since such identification would have used to an area that used to add or edit the content of the document as Chadha disclosed in col.1, lines 56-59.

Regarding dependent claim 8, the claim incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

8. **Claims 9-12 are rejected under 35 U.S. C. 103(a) as being unpatentable over Chadha as applied to claim 1 above and further in view of Popp et al., US 2002/0133637 A1, filed 08/1995.**

Regarding independent claim 9, the claim incorporates substantially similar subject matter as claims 1 and 6, and is rejected along the same rationale. Chadha teaches a storage unit

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(Chadha, col.4, lines 22-25). Chadha does not explicitly disclose a document transmitting unit transmitting said document to a network. However, Chadha teaches document, such as HTML embeds dynamic data is sent over a network (Chadha, col.1, lines 11-29).

Popp teaches transmitting web page document to a client via WWW (Popp, page 1, paragraph 13 and page 4, paragraph 54; transmitting a web document to display on client's browser through WWW).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Popp's transmitting feature into Chadha to include a document transmitting unit to transmit web page document to a network, since transmitting unit allows the web page document to be sent to clients on the Internet.

Regarding claim 10, which is dependent on claim 9, Chadha and Popp teach the limitations of claim 9 as explained above. Refer to the rationale relied to reject claim 9 the limitations of "a client unit including a displaying unit, receiving said document from the network, and displaying said document on said displaying unit" is included. The rationale is incorporated herein.

Regarding claim 11, which is dependent on claim 9, Chadha and Popp teach the limitations of claim 9 as explained above. Chadha teaches said instruction is inputted from an application utilizing said document, to said plurality of areas specified by the identification, by said instruction inputting unit (Chadha, col.5, line 29 – col.6, line 20 and col.6, line 7 – col.7, line 9).

Regarding dependent claim 12, the claims incorporate substantially similar subject matter as claim 2 and is rejected along the same rationale.

9. **Claim 13 is rejected under 35 U.S. C. 103(a) as being unpatentable over Chadha in view of Popp as applied to claim 9 above and further in view of Homer et al., "Instant HTML", copyright 1997, pages 76-107**

Regarding dependent claim 13, which is dependent on claim 9, the claims incorporate substantially similar subject matter as claim 5 and is rejected along the same rationale.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wodarz et al., US 5,999,912, filed 1997, teaches dynamic ad display and tracking.

Agrawal et al., US 2002/0004813 A1, teaches method for partial page caching of dynamically generated content.

Heninger et al., US 2003/0140045 A1, continuation filed 03/1999, teaches scripting language and programming tool.

Rofrano, US 6,324,536 B1, filed 1997, teaches method for providing interactive electronic catalog for product and constraint information of equality and inequality search.

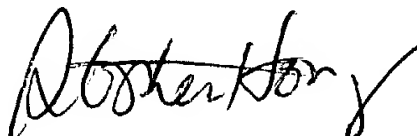
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is 703-305-9774. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on 703-308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
July 19, 2004


STEPHEN S. HONG
PRIMARY EXAMINER